

WESTCHESTER COUNTY DISTRICT ATTORNEY



NEWS RELEASE

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ZELIG LIKE CHARACTER USED DUEL IDENTITY FOR MORE THAN THREE DECADES DEFRAUDING NEW YORK STATE TAXPAYERS

FOR IMMEDIATE RELEASE

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Westchester County District Attorney Janet DiFiore, New York State Workers' Compensation Board Chair Zachary S. Weiss, Eric R. Dinallo Superintendent of the New York State Insurance Department and Edward J. Ryan, Special Agent in Charge of the U.S. Social Security Administration Office of the Inspector General, announced today that after a joint investigation conducted by the Westchester District Attorney's office, the Workers' Compensation Board Office of the Inspector General, the New York State Insurance Fund, Division of Confidential Investigations and the SSA Office of the Inspector General, **Nicholas Maffei a/k/a Nicholas Pasquale** (DOB 9/27/46) of 104 Driftway Lane, Brewster, New York, has been charged with one count of Fraudulent Practice, section 114(1) of the Workers' Compensation Law, a class "E" Felony.

In 1969, Maffei applied for and received a second social security number under the pseudonym Nicholas Pasquale. For more than three decades he used his dual identity to work and collect benefits that he was not entitled to receive.

In 1986, while working under his true name, Maffei sustained an injury picking up an ice bucket while working as a bartender at Emily Shaw's restaurant in Pound Ridge, New York. Although he filed a workers' compensation claim at the time, he continued to work for another nine years until 1995.

In 1995 he filed a claim for indemnity - lost wage - benefits for the original injury. Since then he has been paid partial disability benefits totaling \$79,892. Additionally, on five occasions since 2005, he filed work activity reports affirming that he has not been engaged in any kind of work.

At the time he commenced his action for workers' compensation indemnity benefits, he also obtained a New York State drivers license under the aforementioned pseudonym.

Since 1996 the defendant has been working at various jobs under the pseudonym Pasquale, while receiving indemnity and social security disability benefits under the name Maffei.

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Further investigation by the New York State Insurance Department revealed that he also worked, under the pseudonym Pasquale, as a bartender for the following establishments:

- from 1996 to 2005 at Arturo's Restaurant in Yorktown,
- from October 2006 to July 2007 at Colonial Terrace in Cortlandt Manor,
- from June 2005 to September 2006 at Long Ridge Tavern in Stamford, Connecticut.

Since October 30th, 2006, he has been observed working as a "flagger" directing traffic for Verizon at various street excavation sites. He was paid on the books and earned over \$16,000.

Copies of Maffei's tax returns from 2003 to 2006 also reveal that he did not report any income.

Maffei recently submitted an application to the Westchester County Taxi and Limousine Commission for a license in which he used the pseudonym Pasquale and attached a copy of the social security card and New York State Driver's License using the pseudonym.

Bail was set at \$10,000.

He faces four years in prison.

His next court date is April 9th, 2008.

Assistant District Attorney Brian Conway, Deputy Chief of the Public Integrity Bureau, will prosecute the case.

In compliance with Disciplinary Rule 7-107A of the Code of Professional Responsibility, you are advised that a charge is merely an accusation and that a defendant is presumed innocent until and unless proven guilty.